

**MEDICAL EXAMINING BOARD  
MINUTES  
JUNE 21, 2006**

**PRESENT:** Drs. Lief Erickson; Alfred Franger; Sujatha Kailas; Jack Lockhart; Suresh Misra; Gene Musser; Sandra Osborn, Bhupinder Saini; and Public members: Carolyn Bronston, Virginia Heinemann and Martha Vukelich-Austin

**ABSENT:** Drs. Daniel Miota and Ian Munro

**STAFF:** Tom Ryan, Bureau Director; Colleen Baird, Legal Counsel; PJ Monson, Bureau Assistant; and other DRL staff

**GUESTS:** Mark Grapentine, Wisconsin Medical Society

**CALL TO ORDER**

Gene Musser called the meeting to order at 8:00 a.m. There was a quorum of 9 members present.

Tom Ryan introduced Carolyn Bronston to the Board as the new Public Board member.

**APPROVAL OF AGENDA**

**Additions to Agenda:**

- Item "F" – Carolyn Bronston's Resume
- Item "N" – Amend the agenda to read; stipulation in the matter of the application of Peter E. Graham, MD
- Item "O" – Daniel F. Cichon, MD, is a reinstatement of license candidate
- Item "O" – remove Max A. Lungren, MD
- Item "O" – Full Board oral examination for James M. Stern, MD
- Item "P" – Continuing Education information for Kathy Lynch
- After Item "U" – Additional information for Michael Husak, MD

**MOTION:** Leif Erickson moved, seconded by Sujatha Kailas, to approve the agenda as amended. Motion carried unanimously.

**APPROVAL OF MINUTES OF MAY 17, 2006**

**MOTION:** Suresh Misra moved, seconded by Virginia Heinemann, to approve the May 17, 2006 minutes as published. Motion carried unanimously.

(Dr. Saini joined the meeting)

## **PRESENTATION OF PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS**

### **Michael E. Zevitz, MD**

Attorney Pamela Stach presented the Proposed Stipulation, Final Decision and Order in the matter of Michael E. Zevitz, MD.

### **Jill Pamela Harman, MD**

Attorney James E. Polewski presented the Proposed Stipulation, Final Decision and Order in the matter of Jill Pamela Harman, MD.

### **James Nathan O'Dea, MD**

Attorney Jeanette Lytle presented the Proposed Stipulation, Final Decision and Order in the matter of James Nathan O'Dea, MD.

### **Peter E. Graham, MD**

Attorney Colleen Baird presented the Proposed Stipulation in the matter of the application of Peter E. Graham, MD.

## **ADMINISTRATIVE REPORT**

### **Board member recognition**

Tom Ryan recognized Martha Vukelich-Austin for her dedication to the Medical Examining Board with a plaque and certificate from Governor Doyle.

## **SCREENING PANEL REPORT**

Martha Vukelich Austin stated 26 screening cases were reviewed; 7 cases were opened, 19 were not opened.

## **SUMMARY REPORTS OF PENDING COURT CASES, DISCIPLINARY CASES, ADMINISTRATIVE RULES AND LEGISLATION**

Tom Ryan updated the Board on the current court cases and disciplinary cases.

## **IMPORTANCE OF ORAL EXAMINATION PROCESS AND DOCUMENTATION**

Barbara Showers, Office of Education and Examinations, appeared before the Board to explain in detail and discuss the oral examination process. Barbara Showers will consult with Leif Erickson, Sujatha Kailas and Jack Lockhart to evaluate the application and oral examination process in coordination with the credentialing staff.

### **APPOINTMENT OF AN APPLICATION REVIEWER**

Bhupinder Saini will replace Alfred Franger as the Medical Board Application Reviewer.

### **THE USE OF TYPEWRITTEN "ELECTRONIC SIGNATURES" ON HARD COPY PRESCRIPTION ORDERS PROVIDED TO PATIENTS TO DELIVER TO A PHARMACY FOR DISPENSING**

William Black, DRL Legal Services, appeared before the Board to explain the use of typewritten/electronic signatures and the requirement for a handwritten signature on the paper copy. Board discussion ensued.

### **OUTREACH COMMITTEE REPORT**

The Outreach Committee will be meeting after today's meeting and will continue to meet after the regularly scheduled Board meeting.

### **EVALUATION COMMITTEE REPORT**

The Evaluation Committee will meet after the regularly scheduled Board meeting starting in July.

### **INFORMATIONAL ITEMS**

Noted.

### **CONVENE TO CLOSED SESSION**

**MOTION:** Sujatha Kailas moved, seconded by Leif Erickson, to adjourn to closed session pursuant to Wisconsin State statutes 29.85(1)(a)(b)(f) and (g) for the purpose of conducting appearances, reviewing monitoring requests and requests for licensure, deliberating on stipulations, administrative warnings, proposed decisions and orders, consulting with Legal Counsel and considering Division of Enforcement case status reports. Motion carried by roll call vote: Carolyn Bronston-yes; Lief Erickson-yes; Alfred Franger-yes; Virginia Heinemann-yes; Sujatha Kailas-yes; Jack Lockhart-yes; Gene Musser-yes; Sandra Osborn-yes; Bhupinder Saini-yes, and Martha Vukelich-Austin-yes

Open Session recessed at 9:36 a.m.

### **RECONVENE TO OPEN SESSION**

**MOTION:** Jack Lockhart moved, seconded by Alfred Franger, to reconvene to open session. Motion carried unanimously.

Open session reconvened at 2:00 p.m.

### **ADMINISTRATIVE WARNINGS**

#### **06 MED 090**

**MOTION:** Gene Musser moved, seconded by Sandra Osborn, to accept the administrative warning in the matter of 06 MED 090. Motion carried unanimously.

#### **06 MED 088**

**MOTION:** Sujatha Kailas moved, seconded by Sandra Osborn, to accept the administrative warning in the matter of 06 MED 088. Motion carried unanimously.

#### **06 MED 088 and 06 MED 090**

**MOTION:** Virginia Heinemann moved, seconded by Gene Musser, to accept the administrative warnings in the matter of 06 MED 088 and 06 MED 090. Motion carried unanimously.

#### **05 MED 350**

**MOTION:** Sujatha Kailas moved, seconded by Alfred Franger, to accept the administrative warning in the matter of 05 MED 350. Motion carried unanimously.

### **DELIBERATION OF PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS**

#### **MICHAEL E. ZEVITZ, MD**

**MOTION:** Sandra Osborn moved, seconded by Martha Vukelich Austin, to accept the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of Michael E. Zevitz, MD. Motion carried unanimously.

**JILL PAMELA HARMAN, MD**

**MOTION:** Sandra Osborn moved, seconded by Martha Vukelich Austin, to accept the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of Jill Pamela Harman, MD. Motion carried unanimously.

**JAMES NATHAN O'DEA, MD**

**MOTION:** Leif Erickson moved, seconded by Jack Lockhart, to accept the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of James Nathan O'Dea, MD. Motion carried.

**PETER E. GRAHAM, MD**

**MOTION:** Alfred Franger moved, seconded by Sujatha Kailas, to accept the Stipulation in the matter of the Application of Peter E. Graham, MD. Motion carried unanimously.

**FULL BOARD ORAL EXAMINATIONS**

**DANIEL F. CICHON, MD**

Daniel F. Cichon, MD, and Attorney, Tayyibah I. Sethi, appeared before the Board to answer questions.

**MOTION:** Gene Musser moved, seconded by Sujatha Kailas, to deny the application for re-licensure for Daniel F. Cichon, MD. Motion carried. Suresh Misra abstained.

Reasons cited for denial include the seriousness of the offenses, the number of years out of practice, and the insufficiency of material in support of fitness to practice. The applicant noted he was evaluated by Gary Schoner.

**VICTORIA A. VOLLRATH, MD**

Victoria A. Vollrath, MD, appeared before the Board to answer questions.

**MOTION:** Alfred Franger moved, seconded by Sujatha Kailas, to reinstate the license of Victoria A. Vollrath, MD. Motion carried unanimously. Martha Vukelich Austin and Sandra Osborn left deliberations and abstained from the vote.

**DEBRA A. MANDARINO, MD**

Debra A. Mandarino, MD, appeared before the Board to answer questions.

**MOTION:** Alfred Franger moved, seconded by Sandra Osborn, to issue a full license for Debra A. Mandarino, MD. Motion carried unanimously.

**JAMES MYRON STERN, MD**

James Myron Stern, MD, appeared before the Board to answer questions.

**MOTION:** Virginia Heinemann moved, seconded by Alfred Franger, to deny full license for James Myron Stern, MD, based on adverse action taken during the course of hospital practice. Motion carried.

**MOTION:** Gene Musser moved, seconded by Sujatha Kailas, that should James Myron Stern, MD, re-apply, written documentation regarding the nature of the staff concerns, a non-routine quality assessment review, along with a formal neuro-psychological evaluation are required. Motion carried.

**REQUESTING WAIVER OF ACGME APPROVED TRAINING**

**AMOL KULKARNI, MD**

Amol Kulkarni, MD, appeared before the Board to answer questions.

**MOTION:** Alfred Franger moved, seconded by Suresh Misra, to grant the waiver of ACGME and issue the license for Amol Kulkarni, MD. Motion carried.

**BHUSHAN L. BHAMB, MD**

**MOTION:** Jack Lockhart moved, seconded by Sandra Osborn, to invite Bhushan L. Bhamb, MD in for an oral interview. Motion carried.

The department will request a letter from the University of Wisconsin asking for a description of his current position and responsibilities.

**DOE MONITORING**

**BENJAMIN BEGLEY, MD  
ANNUAL APPEARANCE**

Benjamin Begley, MD, appeared before the Board to answer questions.

**MOTION:** Alfred Franger moved, seconded by Suresh Misra, to grant a stay, reduce screens to 52, and therapy as requested for Benjamin Begley, MD. Motion carried unanimously.

**GREGORY J. HOFFMANN, MD  
REQUESTING FULL REINSTATEMENT**

**MOTION:** Alfred Franger moved, seconded by Suresh Misra, to grant full reinstatement for Gregory J. Hoffmann, MD. Motion carried unanimously.

**GARY ROCHON, MD  
REQUESTING FULL REINSTATEMENT**

**MOTION:** Sandra Osborn moved, seconded by Martha Vukelich Austin, to deny full reinstatement for Gary Rochon, MD based on the lack of recent practice in a monitored setting, and the lack of a current mental health evaluation. Motion carried unanimously.

**JEFFREY JUNIG, MD  
REQUESTING THREE MONTH STAY**

**MOTION:** Alfred Franger moved, seconded by Leif Erickson, to grant a three month stay of suspension for Jeffrey Junig, MD. Motion carried unanimously.

**THOMAS STRICK, MD  
REQUESTING THREE MONTH STAY**

**MOTION:** Leif Erickson moved, seconded by Gene Musser, to grant a three month stay of suspension for Thomas Strick, MD. Motion carried unanimously.

**UPDATE TO THE MAY 17, 2006  
FULL BOARD ORAL EXAMINATION  
EVALUATION OF MICHAEL HUSAK, MD**

The Board reviewed the psychological evaluation for Michael Husak, MD.

**MOTION:** Sujatha Kailas moved, seconded by Jack Lockhart, to grant full license for Michael Husak, MD. Motion carried unanimously.

**DOE CASE CLOSINGS**

**MOTION:** Jack Lockhart moved, seconded by Alfred Franger, to close case 03 MED 405 for insufficient evidence. Motion carried unanimously.

**MOTION:** Alfred Franger moved, seconded by Gene Musser, to close case 04 MED 217 for no violation. Motion carried unanimously.

**MOTION:** Suresh Misra moved, seconded by Leif Erickson, to close case 04 MED 453 for no violation. Motion carried unanimously.

**MOTION:** Alfred Franger moved, seconded by Virginia Heinemann, to close case 05 MED 361 for no violation. Motion carried unanimously. Gene Musser abstained.

**MOTION:** Alfred Franger moved, seconded by Martha Vukelich Austin, to close case 04 MED 381 for prosecutorial discretion (P5). Motion carried unanimously.

**MOTION:** Alfred Franger moved, seconded by Leif Erickson, to close case 03 MED 400 for insufficient evidence. Motion carried unanimously.

**VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED  
SESSION IF VOTING IS APPROPRIATE**

**MOTION:** Leif Erickson moved, seconded by Alfred Franger, to reaffirm all motions made during closed session. Motion carried unanimously.

**EXAM SCORES**

**MOTION:** Gene Musser moved, seconded by Jack Lockhart, to validate the exam scores as of today's date. Motion carried unanimously.



**ADJOURNMENT**

**MOTION:** Alfred Franger moved, seconded by Jack Lockhart, to adjourn the meeting at 2:01 p.m. Motion carried unanimously.

**Next Meeting: July 19, 2006**